The Working Group set up to suggest amendments to the Consumer Protection Action has recommended, which is also stated in the Minister's statement, inclusion of medical services rendered free of charge in the Government hospitals within the puriew of the Act. I would like to know from the hon. Minister whether the Government is going to take prompt action to implement the suggestions of the Study Group that the Government hospitals should also be brought under the purview of the Act and whether medical experts would be provided an opportunity to come to proper conclusions when such matters are being considered under the Consumer Protection Act.

SHRI KAMLUDDIN AHMED : Sir, I have already given the answer. Even at this stage, I can only say that it is under the consideration of the Government. I can only assure the hon. Members that discussions with in the forums, State Commissions and the National Commission with persons who have medical knowledge and expertise, will definitely benefit the people.

Liabilities due under D.P.E.A.

*142. DR. NARREDDY THULASI REDDY :†

SHRIMATI SATYA BAHIN

Will the PRIME MINISTER be pleased to state :

(a) what are the names of the companies which were issued notices but in whose cases neither the liabilities under D.P.E.A. have been assessed nor have proceedings to collect data been started by the Ministry;

(b) when were the notices to each sent and what were the contents of the notices issued and the drugs and products involved in each case;

(c) what are the reasons for delay in the settlement of the issues;

(d) what are the details of cases where liabilities were assessed and revised in 1990-91, 1991-92 and 1992-93 so far, what was the earlier and revised liability in each case;

(e) whether it is also a fact that the process of assessing the liabilities has been slowed down; and

(f) if so, the reasons thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTA MOHAN) : (a) to (f) A Statement is laid on the Table of the Rajya Sabha.

Statement

(a) and (b) Details are given in the Statement attached as Annexure-I.

(c) All efforts are being made to get requisite data from the companies. The Companies have also been warned that in case they do not give the information, the liabilities would be assessed based on whatever data is available with the Government.

(d) Details are given in the statement attached as Annexure-II and

(e) and (f) There is no question of slowing down the process of assessing the liabilities. Almost all the companies who have furnished data have asked for hearings before their liabilities are finally determined. Hearings have been given in 9 cases; dates of hearings have been fixed in 6 cases and in other cases, hearings would be given at the earliest.

†The question was actually asked on the floor of the House by Dr. Narreddy Thulasi Reddi.

Annexure-I

Details of notices sent to Companies during 1986 *to* 1992 *for determining liabilities for the period* 1981-87.

Sl. No.	Name of the Drug Involved	Name of the Company	Remarks
1.	2.	3.	4.
1.	Oxyphenbu tazone . . .	M/s. Lupin Labs. Ltd., Bombay M/s. Fairdeal Corporation Ltd., Bombay. M/s. PCI Pharmaceuticals (P) Ltd., Bombay. M/s. Themis Chemicals Ltd., Bombay M/s. Jagson Pal Pharmaceuticals Ltd, New Delhi. M/s. Inga Labs. (P) Ltd., Bombay. M/s. Kerala State Drugs & Pharmaceuticals Ltd., Kerala. M/s. Pharmaceuticals & Chemicals Industries, Bombay. M/s. Indo-German alkaloids, Bombay. M/s. I.D.P.L., Gurgaon. M/s. Unique Pharmaceuticals Labs., Bombay.	*
2.	Dapsone	M/s. Burroughs Wellcome & Co., Ltd., Bombay.	*
3.	Vitamin-A	M/s. Roche Products Ltd., Bombay. M/s. Glaxo India Ltd., Bombay. M/s. Rohne-Poulenc (May & Baker) Bombay.	* *
4.	Metronidazole & Metronidazole Benzoxylate	M/s. Infunik Pharma (P) Ltd., Bombay. M/s. Unique (J.B. Chemicals), Bombay. M/s. FDC (P) Ltd., Bombay. M/s. I.D.P.L—Gurgaon. M/s. Aristo Pharmaceuticals (P) Ltd., Bombay. M/s. Unichem Labs. Ltd., Bombay. M/s. Kerala State Drugs & Pharmaceuticals Ltd., Kerala M/s. Bombay Drug House (P) Ltd., Bombay. M/s. CIPLA Ltd., Bombay. M/s. Bombay Tablets Mfg. Co. Ltd., Bombay. M/s. Searle India Ltd., Bombay. M/s. Boots (I) Ltd., Bombay. M/s. Jagson Pal Pharmaceuticals Ltd., New Delhi. M/s. Therapeutic Pharmaceuticals. M/s. Dolphin Labs. Calcutta. M/s. Tamil Nadu Dadha Pharmaceuticals Ltd., Madras. M/s. Rhone-Poulenc (May & Baker), Bombay. M/s. Unique Chemicals.	*

1	2	3	4
5.	Aspirin	M/s. Alta Labs., Ltd.	*
6.	Dexamethasone	M/s. John Wyeth Labs. Ltd., Bombay. M/s. IPCA Labs. Ltd., Bombay. M/s. Cadila Labs. Ltd., Ahmedabad. M/s. Roussel Pharmaceuticals (I) Ltd., Bombay. M/s. Dexo Labs. (P) Ltd., Hyderabad. M/s. Tamil Nadu Dadha Pharmaceuticals Ltd., Madras.	*
7.	Ampicillin Trihydrate/ Ampicillin Anhydrous	M/s. Dey's Madical Store, Calcutta M/s. Zandu Pharmaceuticals Works Ltd., Bombay. M/s. Eskayef Ltd., Bangalore. M/s. Tamil Nadu Dadha Pharmaceuticals Ltd., Madras. M/s. Inga Labs. (P) Ltd., Bombay. M/s. Waltar Bushnell (P) Ltd., Bombay. M/s. Chemo Pharma Labs. Ltd., Bombay. M/s. Gufic (P) Ltd., Bombay. M/s. Lyka Labs. Ltd., Bombay. M/s. John Wyeth Labs. Ltd., Bombay. M/s. M.A.P.L., Nagpur. M/s. P.C.I., Bombay. M/s. Bombay Drug House, Bombay. M/s. Alembic Chemicals Works, Baroda. M/s K.S.D.P.L., Kerala. M/s. Pharmed, Bombay. M/s. Ranbaxy Labs., New Delhi. M/s. FDC, Bombay. M/s. DCI Pharma, Goa. M/s. Themis Pharma, Bombay. M/s. Biochem, Bombay. M/s. Gadila Labs., Ahmedabad. M/s. PWD Pharma, Bombay. M/s. Biddle Sawyer, Bombay. M/s. Khandelwal Labs., Bombay M/s. S.S.P.L.—Calcutta. M/s. B.C.P.L , Calcutta. M/s. Roussel Pharmaceuticals, Bombay. M/s. Biological Evans, Hyderabad. M/s. Bengal Immunity, Calcutta. M/s. I.D.P.L.—Gurgaon. M/s. Cipla Ltd., Bombay. M/s. Dolphin Labs., Ltd. Calcutta. M/s. Standard Pharmaceuticals, Calcutta. M/s. Wockhardt Ltd., Bombay. M/s. South India R.S. Inst., Vijayawada. M/s. Bombay Tabs. Mfg. Co. Ltd., Bombay. M/s. Aristo Pharma (P) Ltd., Bombay.	•

1	2	3	4
8.	Chloramphenicol	M/s. Unichem Labs. Ltd., Bombay. M/s. Hoachst India Ltd., Bombay. M/s. Boehringer Knoll Ltd., Bombay. M/s. Tamil Nadu Dadha Pharma. Ltd., Madras. M/s. Biochem Pharma. Ltd., Bombay. M/s. PCI, Bombay. M/s. Zandu Pharma Works Ltd , Bombay. M/s. Mercury Labs., Vadodara. M/s. Unique Pharma Labs., Bombay. M/s. Parke Davis Ltd., Bombay. M/s. Sandoz India Ltd., Bombay. M/s. MAC Labs., Bombay. M/s. Khandelwal Labs. Ltd., Bombay. M/s. FDC Ltd., Bombay. M/s. Jagson Pal Pharmaceuticals Ltd., New Delhi. M/s. Glaxo Labs., Bombay. M/s. Dey's Medical Store, Calcutta. M/s. Ranbaxy Labs., New Delhi. M/s. M.A.P.L., Nagpur. M/s. Inga Labs., Bombay. M/s. Dolphin Labs., Calcutta. M/s. Standard Pharmaceuticals Ltd., Calcutta. M/s. Alembic Chemical Works, Baroda. M/s. Lyka Labs. Ltd., Bombay.	*
9.	Amoxycillin	M/s Cadila Labs., Ahmedabad. M/s. Inga Labs. (P) Ltd., Bombay. M/s. M.A.P.L., Nagpur. M/s. Concept Pharma Ltd., Bombay. M/s. Themis Pharmaceuticals, Bombay. M/s. Unique Pharma Ltd., Bombay. M/s. Gufic Pvt. Ltd., Bombay. M/s. Dolphin Labs., Calcutta. M/s. Sarabhai Chemicals, Vadodara. M/s. P.C.I., Bombay. M/s. Biological Evans, Hyderabad. M/s. Lyka Labs., Ankleshwar. M/s. Bombay Drug House, Bombay. M/s. Alembic Chemical Works, Baroda M/s. K.S.D.P.L. Kerala. M/s. Tamil Nadu Dadha Pharma., Madras M/s. Pharmad, Bombay. M/s. Ranbaxy Labs., New Delhi. M/s. Standard Pharma,. Calcutta. M/s. D.C.I., Pharma. Goa. M/s. DWD Pharma, Bombay. M/s. Biddle Sawyer, Bombay. M/s. Khandelwal Labs., Bombay. M/s. B.S.P.L., Calcutta.	*

1	2	3	4
		M/s. Roussel Pharmaceuticals, Bombay. M/s. Cipla Labs., Bombay. M/s. Walter Rushnell, Bombay. M/s. Zandu Pharmaceuticals, Bombay. M/s. Bengal Immunity, Calcutta. M/s. Chemo Pharma Labs., Bombay. M/s. Dey's Medical Store, Calcutta. M/s. S.S.P.L., Calcutta. M/s. Aristo Pharma., Bombay. M/s. I.D.P.L.—Gurgaon. M/s. Wockhardt (P) Ltd., Bombay. M/s. Okasa Co. (P) Ltd., Bombay. M/s. Themis Chemicals Ltd., Bombay. M/s. John Wyeth., Bombay. M/s. FDC (P) Ltd., Bombay. M/s. Yash Pharma Labs. Ltd., Bombay. M/s. Bombay Tabs. Mfg. Co. Ltd., Bombay. M/s. Biochem Pharma Ind., Bombay.	
10.	Pyrental Pamoate . . .	M/s. Ifunik Pharma, Bombay M/s. Pfizer., Bombay M/s. Dolphin Labs. (P) Ltd., Calcutta. M/s. Ipca Labs. (P) Ltd, Bombay. M/s. Franco Indian Pharma (P) Ltd., Bombay. M/s. Searle India Ltd., Bombay.	*
11.	Rifampicin	M/s. MAC Labs., Bombay. M/s. Concept Pharma Ltd., Bombay. M/s. Yash Pharma Labs., Bombay. M/s. Syntho Pharma, Bombay. M/s. Syrup Thio-Kof., Bombay. M/s. Aristo Pharma., Bombay. M/s. Ifunik Pharma., Bombay.	*
12.	Sulphamethoxazole . .	M/s. Unique Pharma., Bombay. M/s. Universal General Ltd., Bombay. M/s. Biochem Pharma Ltd., Bombay. M/s. Albert David Ltd., Calcutta. M/s. Cipla Ltd., Bombay. M/s. FDC, Bombay. M/s. Cadila Labs., Ahmedabad. M/s. Jagson Pal Pharma Ltd., New Delhi. M/s. Bombay Tablets Ltd., Bombay. M/s. Wockhardt Ltd., Bombay. M/s. Dey's Medical Store, Calcutta. M/s. John Wyeth (I) Ltd., Bombay. M/s. Dolphin Labs., Calcutta. M/s. Themis Chemicals Ltd., Bombay. M/s. Roche Products Ltd., Bombay. M/s. Concept Pharma Ltd., Bombay. M/s. Parke Davis (I) Ltd., Bombay.	*

1	2	3	4
13.	Ethambutol	M/s. I.D.P.L., Gurgaon. M/s. Dolphin Labs., Calcutta. M/s. Neo-Pharma Ltd., Bombay. M/s. PCI—Bombay. M/s. Themis Chemicals Ltd., Bombay. M/s. Yash Pharma Labs. (P) Ltd., Bombay. M/s. Lyka Labs. Ltd., Bombay. M/s. Bombay Tabs. Ltd., Bombay. M/s. Cyanamid India Ltd., Bombay. M/s. Cadila Labs. Ahmedabad. M/s Wockhardt Ltd. Bombay. M/s. Standard Pharma., Calcutta. M/s. Lupin. Labs., Bombay.	*
14.	Vitamin-C	M/s. Sarabhai Chemicals, Borada.	*
15.	Piperazine & its Salts	M/s. Parke Davis, Bombay. M/s. Glaxo India Ltd., Bombay. M/s. Dey's Medical Store, Calcutta. M/s. Inga Labs. Ltd., Bombay. M/s. Burroughs Wellcome (I) Ltd., Bombay. M/s. Cadila Labs., Ahmedabad.	
16.	Phanobarbitone	M/s. Bayer India Ltd., Bombay. M/s. Rohne Poulenc (May &B aker), Bombay. M/s. Sandoz India Ltd., Bombay. M/s. Parke-Davis India Ltd.. Bombay. M/s. Nicholas Labs. India Ltd., Bombay.	*
17.	Gentamycin	M/s. HAL, Pune. M/s. Dey's Medical Store, Calcutta. M/s. Avik Pharma (P) Ltd., Bombay. M/s. Biochem Pharma Ltd., Bombay. M/s. PCI, Bombay. M/s. Standard Pharma., Calcutta. M/s. Pharma Chem Ind., Bombay.	*
18.	Potassium Pan-G Ist Crystals	M/s. Ambalal Sarabhai, Baroda.	*
19.	Doxycycline	M/s. Biochem Pharma Ind., Bombay. M/s. PCI., Bombay. M/s. Dolphin Labs., Calcutta. M/s. Unique Pharma Labs., Bombay. M/s. Aristo Pharma (P) Ltd., Calcutta. M/s. U.S. Vitamins, Bombay. M/s. K.S.D.P.L., Kerala.	*

1	2	3	4
20. Analgin	. . . .	M/s. E. Merck (I) Ltd., Bombay.	*
		M/s. Themis Pharma., Bombay.	
		M/s. Biddle Sawyer, Bombay.	
		M/s. Standard Pharma., Calcutta.	
		M/s. Geoffrey Manners, Bombay.	
		M/s. Ralis India Ltd., Bombay.	
		M/s. DWD Pharma, Bombay.	
		M/s. Indo Pharma, Bombay.	
		M/s. Franco India, Bombay.	
		M/s. Panama India, Bombay.	
		M/s. Cadila Labs., Ahmedabad.	
		M/s. Ifunic Pharma., Bombay.	
		M/s. Hoechst India Ltd., Bombay.	
		M/s. Alembic Chemical Works, Baroda.	
		M/s. Bombay Drug House, Bombay.	
		M/s. Biochem Pharma, Bombay.	
		M/s. Fairdeal Corpn., Bombay.	
		M/s. Inga Labs., Bombay (Indo German)	
		M/s. K.S.D.P.L., Kerala.	
		M/s. PCI, Bombay.	
		M/s. Ranbaxy Labs., New Delhi.	
		M/s. Bombay Tablets Mfg. Co., Bombay.	
		M/s. U.S. Vitamins, Bombay.	
		M/s. Tamil Nadu Dadha Pharma., Madras.	
		M/s. DCI Pharmaceuticals, Goa.	
		M/s. Pharmed (P) Ltd., Bombay.	
21. Tetracycline HCl.	. . .	M/s. Alembic Chemical Works Ltd., Baroda.	*
22. Naproxen	. . . .	M/s. Sarvodya Labs., Bombay.	*
		M/s. Themis Chemicals Ltd., Bombay.	
		M/s. Searle India Ltd., Bombay.	
		M/s. Cadila Labs., Ahmedabad.	
		M/s. Cipla Ltd., Bombay.	
23. Ibuprofen	. . . .	M/s. Astra IDL Ltd., Bangalore.	*
		M/s. Wockhardt (P) Ltd., Bombay.	
		M/s. Cipla Ltd., Bombay.	
		M/s. Glaxo India Ltd., Bombay.	

*The companies have been asked to submit details regarding production, sales, etc.(notices have been sent starting from 1986 and the last notices have been sent in September/ October/November 1992. The Companies have been informed that if they do not submit the required information, action under Essential Commodities Act, 1955, would be initiated.

Annexure—II

Details of liabilities of Drug Companies on account of overcharging/details of recoveries under Para 7 (2) of DPCO, 1979

(Rupees in lakhs)

Sr. No.	Name of the Company (Drugs involved)	Period involved	Tentative Assessment	Amount Received
(a) *Supreme Court Case Companies*				
1.	M/s. Cyanamid (I) Ltd. (Demethylchloro Tetracycline & formulations)	Upto Oct '83 1984-87	490.47 830.05	100.00
		Total :	1320.52	
2.	M/s Hoechst (I) Ltd. (Baralgon Ketone, PMT, Frusemide, Phoniramine Maleate, Glybenclamide & formulations)	Upto Dec '83 1984-87	2491.05 5289.75	312.10
		Total :	7780.80	
3.	M/s. John Wyeth & Geoffry Menners	Upto Dec. '83 1984-87	206.04 299.85	45.00
4.	(Benzathine Penicilline & Formulations)	Total :	505.99	
5.	M/s. Marind (Dexamethasone & formulations)	Upto Dec. '83 1984-87	781.58 1610.14	Nil
		Total :	2391.72	
6.	M/s. Pfizer (Oxytetracycline & formulations)	Upto Dec. '83 1984-87	87.61 n.a.	19.90
		Total :	87.61	
7.	M/s. Franco India	Upto Dec. '83	14·02	1.43
8.	M/s. Griffon (Phenoxymethy Pan. Tab.)	1984-87	n.a.	
		Total :	14.02	
9.	M/s. Tamil Nadu Dadha (Calcium Lactate)	Upto Dec. '83 1984-87	37.97 n.a.	Nil
		Total :	37.97	
10.	M/s. Anil Starch (Dextrose Anhydrous)	Upto Dec. '83 1984-87	11.61 1.16	Nil
		Total :	12.77	
11.	M/s. S.G. Pharmaceuticals (Oxyphenbutazone)	Upto Dec. '83 1984-87	205.36 n.a.	Nil
		Total :	205.36	
12.	M/s. Ethnor (Tetramisole HCl. Decaris Tablets)	Upto Dec. '83 1984-87	10.19 n.a.	10.19
		Total :	10.19	
	SUB TOTAL (a)		12366.95	488·62

n.a.—Not Assessed.

Sr. No.	Name of the Company (Products involved)	Period Involved	Tentative Assessment	Amount Deposited
	(b) Other Companies			
1.	M/s. Glaxo India Ltd. (Betamethasone & its Salts)	1981 to Aug. 1987	7178.00	819.00
2.	M/s. Sarabhai Chemicals	Misc.	20.00	20.00
3.	M/s. Sandoz (I) Ltd.(Multivitamins)	1-4-86 to Sept. 1987	74.68	—
4.	M/s. Pfizer (I) Ltd. (Multivitamins)	April 1986 to Dec. 1988	98.00	—
5.	M/s. Parke Davis (Multivitamins)	Aug. '83 to Aug. '87	1466.15	—
6.	M/s. Abbott Labs. (Multivitamins)	March, 86 to Aug. '87	182.38	—
7.	M/s. Burroughs Wellcome (Sulphamethoxazole)	1979-80 to Feb '84	441.27	—
8.	M/s. Lyka Labs. (Fluocinolone Acetonide)	1979-80 to Aug. '87	678.73	—
9.	M/s. Warner Hindustan (now M/s. Parke Davis) (Isokin & Pyridium)	1982 to 1986	106.36	55.49
10	M/s. Boehringer Knoll (Tuglucon)	13-12-1984 to 31-1-1988	97.74	—
11.	M/s. Carews (Combiflam)	Nov. '86 to Dec. '88	710.24	—
12.	M/s. IDPL (Imported bulk drugs)	1985-86 to 1987-88	336.45	—
13.	M/s. Krup Traders (Rifampicin)	1989-90	20.48	—
14.	M/s. IDPL (Sulphadimidine)	Aug. '87 to Nov. '87	37.30	—
15.	M/s A.P. Chemicals (Paracetamol)	February 1988 to November, 1989	25·43	—
16.	M/s. Malladi Drugs (Ephedrine)	April, 88 to March, 90	116.30	—
17.	M/s. Lupin Labs. (Rifampicin)	1988 to 1991	3.72	—
18.	M/s Lupin Labs. (Ethambutol)	1989 to 1990	17.31	—
19.	M/s. Pfizer (I) Ltd. (Protinex)	April, 86 to July, 89	81.83	—
20.	M/s. Bayer (I) Ltd., (Chloroquine Phosphate)	1979-80 to 1988	107.37	—
	SUB TOTAL (b) . . .		11799.74	894.49
	TOTAL (a+b) . . .		24166.69	1382.11

(Rs. in lakhs)

Sr. No.	Name of the Company	Period Involved	Tentative Assessment	Amount Deposited
(c) *Recovery Under Para* 7(2)				
	RIFAMPICIN			
1.	M/s. Biochem Pharmaceuticals	3/79 to 3/84	84.28	—
2.	M/s. Lyka Labs.	4/79 to 3/84	57.57	5.70
3.	Astra-IDL	82-83 to 5/84	24.11	2.41
4.	M/s. Micro Labs.	79-80 to 82-83	2.24	—
5.	M/s. Themis Chemicals	82-83 to 83-84	36.31	—
6.	Alembic Chemicals Labs.	81-82 to 83-84	38.73	3.80
7.	Bombay Drug House	80-81 to 83-84	1.73	—
8.	Pharmed P. Ltd.	79-80 to 83-84	66.01	—
9.	Dolphin Labs.	1979-1983	18.11	—
10.	Albert Devid Ltd.	11/81 to 9/83	3.91	3.91
11.	Pharma & Chem. Ind.	80-81 to 82-83	87.99	—
12.	Cadila Labs. (P) Ltd.	79-80 to 83-84	76.52	7.50
13.	Sarabhai Chemicals	82-83 to 83-84	4.14	2.00
14.	Lupin Laboratories	8/80 to 3/84	215.89	21.60
15.	Ranbaxy Labs. Ltd.	4/79 to 6/84	36.23	3.63
16.	Wallace Pharma.	4/82 to 2/84	2.82	0.29
17.	Ethico Drug & Chem. Co.	5/82 to 3/84	140.98	—
18.	IDPL	12/80 to 1/86	2.13	—
19.	HAL	81-82 to 83-84	36.66	—
	SUB TOTAL :		886.41	50.84

Sr. No.	Name of the Company	Period Involved	Tentative Assessment	Amount Deposited
	DIPYRADIMOL			
1.	German Remedies	4/79 to 7/84	59.95	59.95
	GENTAMYCIN			
1.	Fulford (I) Ltd.	79/80 to 2/84	194.62	50.00
2.	Biochem Pharma Ltd.	79/80 to 3/84	33.88	—
3.	Lyka Labs. Ltd.	.7/79 to 3/81	17.47	1.75
4.	Nicholas Labs.	79-80 to 3/84	53.03	10.80
	SUB TOTAL :		299.00	61.75
	SALBUTAMOL			
1.	Khandelwal Labs.	79-80 to 81-82	0.15	—
2.	Biddle Sawyer P Ltd.	4/79 to 3/83	142.74	—
	SUB TOTAL :		142.89	0.00

Sr. No.	Name of the Company	Period Involved	Tentative Assessment	Amount Deposited
	CLOFAZAMINE			
1.	S G. Pharmaceuticals . . .	4/79 to 3/84	5.01	—
	AMPICILLIN & AMOXYCILLIN			
1.	Biochem Pharma Ltd. . . .	79-80 to 83-84	11.80	—
	OXYPHENBUTAZONE			
1.	Tablets India Ltd. . . .	79-80 to 83-84	9.49	—
	METRONIDAZOLE			
1.	Boots India Ltd. . . .	79-80 to 8/87	52.17	47.92
2.	SSPL	79-80 to 83-84	7.82	—
3.	KSDPL	79-80 to 83-84	5.50	—
4.	Khandelwal Labs. . . .	79-80 to 3/84	1.34	—
5.	IDPL	79-80 to 3/84	20.33	—
	SUB TOTAL .		97.16	47.92
	TRIMETHOPRIM			
1.	German Remedies	2/82 to 5/86	8.25	8.25
	TOTAL (c) .		1519.96	228.71
	GRAND TOTAL (a+b+c) .		25686.65	1611.62

DR. NARREDDY THULASI REDDY: Sir, in every Session this question is coming up and everytime we get the same answer, *"Parisilistam, choostam chestam."* that is, "We will examine, we will see and we will do.". But it is not examined, it is not seen and nothing is done ! This is nothing less than the Bofors scandal and the Securities Scam. Nearly Rs. 700 crores are involved in this.

SHRI YASHWANT SINHA : Only ?

DR. NARREDDY THULASI REDDY: Sir, an amount of about Rs. 700 crores is involved in this. While intervening in the course of a reply to Starred Question No. 267, put by Shri Rajni Ranjan Sahu on 1-8-91, the honourable Prime Minister told the House...

MR. CHAIRMAN : You please put your question.

DR. NARREDDY THULASI REDDY: Sir, these are the words uttered by the honourable Prime Minister which I would like to quote. On 1-8-1991, the honourable Prime Minister told in this august House, "These are individual cases and I will look into them. If there is anything that needs to be done urgently, that will be done.". So, these are the words uttered by the honourable Prime Minister on 1-8-1991 and, today, it is 3rd December 1992 and already one year and four months have elapsed. So, I would like to ask the honourable Prime Minister how many individual cases have been looked into by the honourable Prime Minister and what those cases are, whether he has felt

any urgent need to do something and, if he has felt, what urgent action has been taken.

SHRI CHINTHA MOHAN : Sir, these are all the dues of excess charging during the period 1981 to 1987. In 1987, Mr. Justice Chinnappa Reddy had given his judgment saying that the dues were to be collected from all these drug companies. But, before recovering these dues, Mr. Justice Reddy had said in his judgment, all the drug companies should be given a hearing. After that, in 1987, this Government took a decision to appoint two Committees—the Tandon Committee and the Murthy Committee—and they have given their Reports. Immediately after that, there was a change in the Government in 1989. The then Government had also taken a definite decision that they would go by the earlier decision of the courts only. Some companies went to the court for settlement and they wanted to take a decision through the courts only. Now, during these 1-½ years, we have done a lot of work, we have done tremendous work. In this connection, I want to bring to the notice of the House that there are 67 companies who have to pay Rs. 256.87 crores. Out of this, the Government has collected from 24 companies Rs. 16.12 crores. Also, I would like to bring to the notice of the honourable Member and also this House that 11 companies have gone to the courts and the amount to be recovered from these companies is Rs. 172.72 crores. Since these companies have gone to the courts, we are not able to make recovery. There are 56 companies who have not gone to the courts and they have to pay Rs. 84.15 crores.

SHRI JAGESH DESAI : Sir, all these figures are given here .. (*Interruptions*) ...

MR. CHAIRMAN : Please let the Minister complete his reply.

SHRI CHINTHA MOHAN : Out of these 56 companies, to four companies the Department has given a hearing and in five other cases, the Department has given the dates. It takes half-a-day to complete a decision. After this, five companies have paid some amount and, in the case of 42 companies, dates are to be given for the hearing. But we do not have the required administrative staff to take any decision and we have approached the Cabinet to make some more staff available and we are looking into all these things. But I may assure the House that we will collect every pie from these companies and we will not leave anybody.

SHRI MENTAY PADMANABHAM : When ?

SHRI CHINTHA MOHAN : Also, we would like to charge the penal rate of interest, that is, 15 per cent, which we are going to collect from all these people. This I would like to bring to the notice of the honourable Member and also this House.

SHRI MENTAY PADMANABHAM : What about the assurance given by the Prime Minister ? .... (*Interruptions*)

MR. CHAIRMAN : Dr. Reddy, you put your second supplementary.

SHRI MENTAY PADMANABHAM : What about the assurance of the Prime Minister ? .... (*Interruptions*) ....

MR. CHAIRMAN : He has already answered mentioning what action the Government has taken.

SHRI MENTAY PADMANABHAM : No, Sir. The honourable Member read out the assurance given by the Prime Minister. What about the assurance given by the Prime Minister ? Let the Prime Minister react ?

(*Interruptions*)

MR. CHAIRMAN : You please sit down. As far as I know, the Minister has said what specific action he has taken in many cases. That is the fulfilment of the assurance.

SHRI MENTAY PADMANABHAM : No, Sir. The hon. Member has read out an assurance given by the Prime Minister...

MR. CHAIRMAN : Let the Member himself ask.

SHRI MENTAY PADMANABHAM : The Prime Minister is very much in the House. Let the Prime Minister react. (*Interruptions*)

MR. CHAIRMAN : Let the Member himself raise it.

DR. NARREDDY THULASI REDDY: I want an answer from the Prime Minister, Sir (*Interruptions*) He has given a statement on 1-8-1991. The Prime Minister is in the House ..(*Interruptions*) These are the words uttered by the Prime Minister on 1-8-1991. Already 16 months have passed. (*Interruptions*) ..

SHRI MENTAY PADMANABHAM : The Government cannot take the Members for a ride.

DR. NARREDY THULASI REDDY : The Prime Minister is there in the House.

MR. CHAIRMAN : Will you please sit down ?

DR. NARREDDY THULASI REDDY: Why should he not answer ?

MR. CHAIRMAN : You have to sit down.

DR. NARREDDY THULASI REDDY: No. He said. "I will personally look into them."

(*Interruptions*)

SHRI S.K.T. RAMACHANDRAN : Sir, this is highly objectionable.

DR. NARREDDY THULASI REDDY: He said, "these are individual cases and I will look into them."

MR. CHAIRMAN : Will you please sit down ?

(*Interruptions*)

DR. NARREDDY THULASI REDDY: Let him answer.

Mr. CHAIRMAN : The answer given is the Prime Minister's answer, the Ministry's answer.

DR. NARREDDY THULASI REDDY: This is an old story. After the assurance. what is the action taken ? These are the things which are taken before the assurance was given, not after the assurance. (*Interruptions*)

श्री एस०एस० अहमुवालिया : सभापति महोदय, यह तरीका नहीं है सवाल पूछने का । ये किस तरह से जवाब चाहते हैं ।

DR. NARREDDY THULASI REDDY: Let the Prime Minister answer.

MR. CHAIRMAN : You have to sit down. You cannot make a speech and argue like this. It is up to the Government to answer. As far as I know, the Minister has read out various steps he has taken for collecting the dues. Well, Shrimati Satya Bahin—she is not there. Shri R. R. Sahu.

SHRI RAJNI RANJAN SAHU : Mr. Chairman, Sir, I congratulate the hon. Minister for giving a detailed reply. I would like to put a simple question. In part (c) of the answer, he has said that he has given the last warning to the companies. So, I would like to know from the hon. Minister whether this is the last warning given to the pharmaceutical companies and if so, when the last warning has been given.

SHRI CHINTHA MOHAN : Sir, we have issued this notice. I am also going to place on the Table of the House a copy of the notice that we have given to all these companies. We have issued this notice just a few days back, and I would like to quote from here : "Action will be initiated against your company under the provisions of the Essential Commodities Act, 1955." And, Sir, for everything, there is a procedure. We have to give them the notice, we have to give them a hearing, and we have to take any decision after that. Sir, it is a democratic country and we have to give them a proper hearing also.

SHRI RAJNI RANJAN SAHU : Is this the last warning or another warning will be given ?

SHRI CHINTHA MOHAN : Of course, it will be the last warning for them.

MR. CHAIRMAN : He cannot say what is last. You have to wait.

SHRI N.K.P. SALVE : Sir, the Minister is right when he says that he cannot go arbitrarily, he has to follow a certain procedure. But I find from Annexure-II Sir, that as many as 12 companies who have taken the matter to the Supreme Court owe Rs. 123.66 crores. And they have paid only Rs. 4.88 crores. May I know from the Minister whether there is a stay granted by the Supreme Court in respect of these companies ? Most of them appear to be multinationals. And if they have granted a stay, has the Supreme Court directed them to give any bank guarantee or anything like that ? If not, may I know how you have assured that their assets are adequate enough to recover these amounts ?

SHRI CHINTA MOHAN : The court has not said anything about bank guarantee to be taken from them. But the hon. Member has raised a very valid point and we will definitely....

SHRI N. K. P. SALVE : Is there no stay granted by the Supreme Court ?

SHRI CHINTA MOHAN : In 1987, Justice Chinnappa Reddy gave a judgement saying that recoveries should be made from these companies, and at the same time the Government should give them a hearing. The process of recovering is going on.

SHRI MENTAY PADMANABHAM : This is the most unfortunate affair. The Government is trying to put everything under the carpet. Just now we heard from the Minister that the Supreme Court has not given any stay orders. I would like to know from the hon. Minister whether it is not a fact that the Act empowers the Central Government to invoke the provisions of Essential Commodities Act. There are certain penal clauses in the Essential Commodities Act for the recovery of arrears from the defaulting companies. I would like to know from the hon. Minister the number of companies where these provisions have been invoked and the names of those companies. And with regard to other companies where these provisions have not been invoked for recovery of the arrears, I would like to know the reasons for not invoking these provisions against such companies under the Essential Commodities Act.

SHRI CHINTA MOHAN : Sir, probably the hon. Member has not read the answer properly where I have given the detailed answer. I request him to go through my answer. He will get all the details.

SHRI MENTAY PADMANABHAM : This is very unfortunate. Sir, you give me protection.

MR. CHAIRMAN : After getting the answer !

SHRI MENTAY PADMANABHAM : Sir, the Minister is taking the entire House for granted. My point is, against how many companies the Department has taken penal action under the provisions of the Essential Commodities Act. In his reply, nowhere has he given any kind of information that I asked. As far as companies under the Supreme Court judgement are concerned, there is no specific stay order from the Supreme Court against recovery of arrears from these companies about which the hon. Minister has just committed himself in the House. What prevented him from invoking the provisions of Essential Commodities Act ? That is my question. He has not stated this in his answer.

SHRI CHINTA MOHAN : We have issued notices to all the companies. Penal action will be taken at the appropriate time. I assure the House that we will take stringent action and we will not succumb to any pressure. We are equally concerned to collect the dues from these companies.

*143. [*Transferred to 8th December, 1992*].

*144. [*The questioner* (*Shri Debabrata Biswas*) was absent. For answer *vide col.—infra*].